

REMARKS

The Final Office Action mailed September 3, 2004 has been received and carefully noted. The undersigned counsel thanks the Examiner for providing the opportunity to discuss the Office Action and the rejections therein. The following remarks are submitted as a full and complete response thereto.

No extension of time is believed to be required based upon the filing of this Amendment prior to the deadline of the three-month statutory period (i.e., December 3, 2004). Authorization is granted to charge counsel's Deposit Account No. 01-2300, referencing **Attorney Docket No. 107439-00027**, for any additional fees necessary for entry of this Amendment.

Claims 1-3, 5 and 7-8 have been amended. Applicants submit that the amendments made herein are fully supported in the Specification and the drawings, as originally filed, and therefore no new matter has been introduced. Accordingly, claims 1-8 are pending in the present application and are respectfully submitted for reconsideration.

Claims 1-8 were finally rejected under 35 U.S.C. § 102(b) as being anticipated by the Kuzma patent (U.S. Patent No. 5,781,901). Dependent claims 2-8 depend from independent claim 1. The rejections are respectfully traversed and reconsideration is requested.

Independent claim 1, as amended, recites an e-mail sending and receiving system for sending and receiving e-mail between communication terminals, where each e-mail message is written on a Web page provided by a communication center, and each communication terminal is provided in a mobile or fixed station, the system comprising a mail generating section for generating an e-mail message to be sent to an addressee; a positional data storage section for storing a plurality of geographic positional data; and a positional data attaching section for

attaching one or more of the geographic positional data stored in the positional data storage section to the e-mail message generated by the mail generating section. It is respectfully submitted that the Kuzma patent does not disclose or suggest the e-mail sending and receiving system, as claimed in the present invention.

Rather, the Kuzma patent is directed to an attachment-by-reference e-mail message system. Specifically, with reference to Figs. 2 and 4, the Kuzma patent merely discloses that when a user 210 wishes to send an attachment file with an email message to another user 212, the e-mail message 401 is transmitted along with an attachment reference 402 comprising a pointer (network address) 410 that points to the actual network location of the attachment 420, instead of actually transmitting the entire attachment file along with e-mail message 401. In contrast to the Kuzma patent, the claimed invention discloses an e-mail sending and receiving system comprising, in pertinent part, a positional data storage section for storing a plurality of geographic positional data and a positional data attaching section for attaching one or more of the geographic positional data stored in the positional data storage section to the e-mail message generated by the mail generating section. Such features are neither disclosed nor suggested in the Kuzma patent.

Based upon the forgoing, Applicants respectfully submit that each and every element recited within independent claim 1 is neither disclosed nor suggested by the Kuzma patent, and therefore patentable and in condition for allowance. Reconsideration is requested.

It is further submitted that dependent claims 2-8 are also patentable and in condition for allowance due to their dependency upon independent claim 1, since the dependent claims differ in scope from the parent claim. Dependent claims 2-8 depend from independent claim 1, and thus are further limited to additional features of the invention. Therefore, it is respectfully


submitted that the dependent claims are patentable over the Kuzma patent for at least the reasons set forth above with respect to independent claim 1. Reconsideration is requested.

Entry of this Amendment after final rejection is therefore submitted as proper in that it places the application in condition for allowance. Particularly, the present Amendment is submitted as not raising new issues or requiring further consideration or searching. Undersigned counsel would accordingly appreciate the Examiner telephoning counsel prior to the expiration of the six-month statutory period (i.e., March 3, 2005) to indicate the disposition of this Response.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

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Respectfully submitted,



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